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Attorneys for Plaintiff, Bank of America, N.A.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**BANK OF AMERICA, N.A.,** :  
:  
:  
**Plaintiff,** : Case No.: 11 CV 4135 BSJ  
:  
:  
**-against-** :  
:  
:  
**KENT M. SWIG, ELIZABETH M. SWIG, THE** :  
**740 CORPORATION, and "JOHN DOE #1"** :  
through "JOHN DOE #10," the last ten names :  
being fictitious and unknown to plaintiff, the : **ACKNOWLEDGMENT OF**  
persons or parties intended being the tenants, : **SERVICE AND WAIVER**  
occupants, persons or corporations, if any, : **OF SUMMONS**  
having or claiming an interest in or lien upon :  
the premises described in the Complaint, :  
:  
**Defendants.** :  
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The undersigned represents that he is authorized to accept service of process in the above-captioned matter on behalf of defendant Elizabeth M. Swig, further acknowledges that the Verified Complaint, Civil Cover Sheet, Help for Homeowners in Foreclosure Notice, Rule 7.1 Statement, Chambers Rules for the Honorable Barbara S. Jones, U.S.D.J., Chambers Rules for the Honorable Debra Freeman, U.S.M.J., Electronic Case Filing Rules & Instructions for the Southern District of New York and a Summons for Elizabeth M. Swig were served and accepted

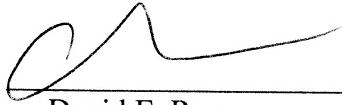
*July 6,*  
by the undersigned, as counsel for defendant Elizabeth M. Swig, on ~~June 29~~, 2011, and hereby waives service of a Summons in this matter.

Dated: New York, New York

~~June~~ *July 6,* 2011

MEISTER SEELIG & FEIN LLP  
Attorneys for Defendant Elizabeth M. Swig

By:

  
David E. Ross  
2 Grand Central Tower  
140 E 45<sup>th</sup> Street – 19<sup>th</sup> Floor  
New York, New York 10017  
212-655-3500  
der@msf-law.com

UNITED STATES DISTRICT COURT  
for the

Southern District of New York

11 CIV 4135

Bank of America, N.A.

)

*Plaintiff*

)

v.

)

Kent M. Swig, Elizabeth M. Swig, The 740  
Corporation & "John Doe #1" through "John Doe #10"

)

*Defendant*

)

Civil Action No. 11-cv-

JUDGE JONES

**SUMMONS IN A CIVIL ACTION**

To: (*Defendant's name and address*) Elizabeth M. Swig  
740 Park Avenue, Unit 2/3D  
New York, New York 10021

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Daniel F. Flores  
Wilson, Elser, Moskowitz, Edelman & Dicker LLP  
150 E 42nd Street  
New York, New York 10017

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT

Date: JUN 17 2011

*Constance Capodilupo*

Signature of Clerk or Deputy Clerk

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Civil Action No. 11-cv-**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

- I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or
- I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_,  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or
- I returned the summons unexecuted because \_\_\_\_\_; or
- Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

*Printed name and title*

*Server's address*

Additional information regarding attempted service, etc:

**NOTICE**

**YOU ARE IN DANGER OF LOSING YOUR HOME**

**If you do not respond to this summons and complaint by serving a copy of the answer on the attorney for the mortgage company who filed this foreclosure proceeding against you and filing the answer with the court, a default judgment may be entered and you can lose your home.**

**Speak to an attorney or go to the court where your case is pending for further information on how to answer the summons and protect your property.**

**Sending a payment to your mortgage company will not stop this foreclosure action.**

**YOU MUST RESPOND BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE PLAINTIFF (MORTGAGE COMPANY) AND FILING THE ANSWER WITH THE COURT.**